

JAN 24 2006 TUE 03:09 PM FINNEGAN HENDERSON

FAX NO. 650 849 6666

P. 02

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22852 7590 10/27/2005

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP
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<i>Cindy Bailett</i>	(Depositor's name)
<i>Cindy Bailett</i>	(Signature)
<i>January 24, 2006</i>	
(Date)	

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/R27,531	04/06/2001	Stephen A. Smith	005326.P003	6381 CNGUYEN3 00000014 060916 09827531

TITLE OF INVENTION: METHOD OF AND APPARATUS FOR FORECASTING ITEM AVAILABILITY

01 FC:1501	1400.00 DA
02 FC:1504	300.00 DA

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1400	\$300	\$1700	01/27/2006

EXAMINER	ART UNIT	CLASS-SUBCLASS
CHOL, PETER H	3623	705-01000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

Change of correspondence address (or Change of Correspondence Address form PTO/SB/12) attached.
 "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list

(1) the names of up to 3 registered patent attorneys or agents OR, alternatively,
(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

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3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

FMS, INC.

MOUNTAIN VIEW, CALIFORNIA

Please check the appropriate assignee category or categories (will not be printed on the patent): Individual Corporation or other private group entity Government

4a. The following fee(s) are enclosed:

4b. Payment of Fee(s):

Issue Fee
 Publication Fee (No small entity discount permitted)
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A check in the amount of the fee(s) is enclosed.
 Payment by credit card. Form PTO-2038 is attached.
 The Director is hereby authorized to charge the required fee(s), or credit any overpayment, to Deposit Account Number 06-0916 (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above. NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant, a registered attorney or agent, or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature Venk KrishnamoorthyDate JAN 24th 2006Typed or printed name Venk Krishnamoorthy, Ph.D.Registration No. 52,490

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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FACSIMILE TRANSMITTAL

TO MAIL STOP ISSUE FEE

U.S. Patent and Trademark Office
Fax No.: (571) 273-2885

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Subject: Issue Fee Payment for
09/827,531

Our File No.: 09530.0001-00000

FROM

Name: Venk Krishnamoorthy, Ph.D.
Reg. No. 52,490

Phone No.: 650 849 6751

Fax # Verified by: clb

Pages (incl. this): 3

Date: January 24, 2006

Confirmation Copy to Follow: NO

In re Application of:)
Stephen A. SMITH et al.) Group Art Unit: 3623
Application No.: 09/827,531) Examiner: CHOI, Peter H.
Filed: April 6, 2001) Confirmation No.: 6381
For: METHOD OF AND APPARATUS FOR FORECASTING ITEM AVAILABILITY)

In Response to the Notice of Allowance mailed October 27, 2005, Applicants submit the following:

1. Issue Fee Transmittal in Duplicate with Certificate of Facsimile and Deposit Account Authorization in the amount of \$1,700.00, (1 page each; 2 pages total).

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being sent via facsimile on January 24, 2006, to Mail Stop ISSUE FEE at facsimile number (571) 273-2885 located at the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Cindy Baglietto
Cindy Baglietto

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